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UNITED STATES OF AMERICA

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII  
JAN - 6 2000  
at 9 o'clock and 7 min A.M.  
WALTER A. Y. H. CHINN, CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. <u>CROO-00010</u>	DAE
	)		
Plaintiff,	)	INDICTMENT	
	)		
vs.	)	[21 U.S.C. §§ 841(a)(1)	
	)	841(b)(1)(B), 846, 18 U.S.C.	
JOSE FRANCISCO GARIBAY,	)	§ 2]	
a.k.a. "Kora," (01)	)		
RAMON MENDOZA-RAMIREZ,	)		
a.k.a. "Antonio Temoc	)		
Mendoza-Ramirez,"	)		
a.k.a. "Temo," (02)	)		
MANUEL PLATA,	)		
a.k.a. "Mike," (03)	)		
	)		
Defendants.	)		
	)		

INDICTMENT

COUNT 1

The Grand Jury charges:

From a precise date unknown to the Grand Jury, but by  
November 16, 1999 to and including December 28, 1999, in the  
District of Hawaii, the defendants,

JOSE FRANCISCO GARIBAY, a.k.a. "KORA,"

RAMON MENDOZA-RAMIREZ, a.k.a "ANTONIO TEMOC MENDOZA-RAMIREZ,"

a.k.a. "TEMO,"

and MANUEL PLATA, a.k.a. "MIKE," did conspire together and with others known and unknown to the grand jury, to knowingly and intentionally possess with intent to distribute, and to distribute, in excess of 100 grams of heroin, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

OVERT ACTS

In furtherance of the conspiracy and to accomplish the objects thereof the defendants committed various overt acts which include, but are not limited to, the following:

1) On November 16, 1999, JOSE FRANCISCO GARIBAY, a.k.a. "KORA," drove MANUEL PLATA, a.k.a. "MIKE" to the parking lot of Foodland located at Liliha and N. School Street.

2) On November 16, 1999, GARIBAY gestured to an undercover police officer to come to the car GARIBAY drove to the Foodland parking lot.

3) On November 16, 1999, GARIBAY sold approximately 1.799 grams of heroin to an undercover police officer.

4) On November 16, 1999, PLATA gave a new phone number to use when ordering heroin in the future.

5) On November 30, 1999, GARIBAY drove PLATA to the parking lot of Foodland located at Liliha and N. School Street.

6) On November 30, 1999, PLATA sold approximately 2.829 grams of heroin to an undercover police officer.

7) On December 2, 1999, GARIBAY drove PLATA to the parking lot of McDonalds on Salt Lake Blvd.

8) On December 2, 1999, PLATA sold approximately 2.838 grams of heroin to an undercover police officer.

9) On December 7, 1999, GARIBAY took an order for heroin over the telephone from an undercover police officer.

10) On December 7, 1999, GARIBAY instructed the undercover police officer to go to the 7-11 store in Nuuanu to collect the heroin.

11) On December 7, 1999, GARIBAY sold approximately 3.872 grams of heroin to an undercover police officer.

12) On December 13, 1999, GARIBAY took an order for heroin over the telephone from an undercover police officer.

13) On December 13, 1999, RAMON MENDOZA-RAMIREZ, a.k.a. "ANTONIO TEMOC MENDOZA-RAMIREZ," a.k.a. "TEMOC," instructed the undercover police officer to go to the Kamehameha Shopping Center to collect the heroin.

14) On December 13, 1999, MENDOZA-RAMIREZ changed the location of the deal to a pink store located near the intersection of Kalihi Street and Numanu Street.

15) On December 13, 1999, MENDOZA-RAMIREZ drove GARIBAY to the parking lot of the Valley Market Center.

16) On December 13, 1999, GARIBAY sold approximately 6.123 grams of heroin to an undercover police officer.

17) On December 14, 1999, GARIBAY agreed to sell heroin to an undercover police officer.

18) On December 14, 1999, GARIBAY sold approximately 24.859 grams of heroin to an undercover police officer.

19) On December 20, 1999, GARIBAY agreed to sell heroin to an undercover police officer.

20) On December 20, 1999, GARIBAY sold approximately 48.994 grams of heroin to an undercover police officer.

21) On December 28, 1999, GARIBAY agreed to sell heroin to an undercover police officer.

22) On December 28, 1999, GARIBAY sold approximately 50 grams of heroin to an undercover police officer.

All in violation of Title 21, United States Code, Section 846.

COUNT 2

The Grand Jury further charges:

On or about November 16, 1999, in the District of Hawaii, the defendants, MANUEL PLATA, a.k.a. "MIKE," and JOSE FRANCISCO GARIBAY, a.k.a. "KORA" knowingly and intentionally distributed approximately 1.799 grams of heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1), and 841(b)(1)(C).

COUNT 3

The Grand Jury further charges:

On or about November 30, 1999, in the District of Hawaii, the defendants, MANUEL PLATA, a.k.a. "MIKE," and JOSE FRANCISCO GARIBAY, a.k.a. "KORA" knowingly and intentionally

distributed approximately 2.829 grams of heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1), and 841(b)(1)(C).

COUNT 4

The Grand Jury further charges:

On or about December 2, 1999, in the District of Hawaii, the defendants, MANUEL PLATA, a.k.a. "MIKE," and JOSE FRANCISCO GARIBAY, a.k.a. "KORA" knowingly and intentionally distributed approximately 2.829 grams of heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1), and 841(b)(1)(C).

COUNT 5

The Grand Jury further charges:

On or about December 7, 1999, in the District of Hawaii, the defendant JOSE FRANCISCO GARIBAY, a.k.a. "KORA" knowingly and intentionally distributed approximately 3.872 grams of heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1), and 841(b)(1)(C).

COUNT 6

The Grand Jury further charges:

On or about December 13, 1999, in the District of Hawaii, the defendants, JOSE FRANCISCO GARIBAY, a.k.a. "KORA" and RAMON MENDOZA-RAMIREZ, a.k.a. "ANTONIO TEMOC MENDOZA-RAMIREZ," a.k.a. "TEMO," knowingly and intentionally distributed approximately 6.123 grams of heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1), and 841(b)(1)(C).

COUNT 7

The Grand Jury further charges:

On or about December 14, 1999, in the District of Hawaii, the defendant JOSE FRANCISCO GARIBAY, a.k.a. "KORA" knowingly and intentionally distributed approximately 24.859 grams of heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1), and 841(b)(1)(C).

COUNT 8

The Grand Jury further charges:

On or about December 20, 1999, in the District of Hawaii, the defendant JOSE FRANCISCO GARIBAY, a.k.a. "KORA" knowingly and intentionally distributed approximately 48.994 grams of heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code,  
Section 841(a)(1), and 841(b)(1)(C).

COUNT 9

The Grand Jury further charges:

On or about December 28, 1999, in the District of  
Hawaii, the defendant JOSE FRANCISCO GARIBAY, a.k.a. "KORA"  
knowingly and intentionally distributed approximately 50 grams of  
heroin, a Schedule I controlled substance.


All in violation of Title 21, United States Code,  
Section 841(a)(1), and 841(b)(1)(C).


DATED: December 9, 1998, at Honolulu, Hawaii.

A TRUE BILL

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151  
FOREPERSON, Grand Jury

  
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ELLIOT ENOKI  
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United States v. Jose Francisco Garibay, a.k.a. "Kora",  
Ramon Mendoza-Ramirez, a.k.a. "Temo," and Manuel Plata,  
a.k.a. "Mike"  
Indictment  
Cr. No. \_\_\_\_\_